

## REMARKS/ARGUMENTS

These Remarks are responsive to the Office Action mailed October 4, 2008 ("Office Action"). Applicants respectfully request reconsideration of the rejections of claims 1-42 for at least the following reasons.

### STATUS OF THE CLAIMS

Claims 1-42 are pending in the application, with claims 1, 20, 38, and 40-42 being the independent claims. Claims 1, 4, 7, 11-13, 16-17, 19-20, 25, 29-31, 34-35, 37-38, and 40-42 have been amended to more clearly recite the features of the claimed inventions. Applicants respectfully submit that no new matter has been added as a result of these amendments.

### REJECTIONS UNDER 35 U.S.C. § 103

The Office Action on pages 2-12 rejects claims 1-15 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0029194 to Lewis et al. ("Lewis") in view of U.S. Patent No. 6,029,150 to Kravitz. Applicants respectfully traverse this rejection.

Amended independent claim 1 recites:

A method for processing a purchase transaction between an account holder and a merchant, the method comprising:

- automatically requesting an automated clearing house transfer from a source account owned by the account holder to a destination account owned by the account holder via an automated clearing house network;
- receiving the automated clearing house transfer;
- adjusting destination account data associated with the destination account by increasing a balance of the destination account by an amount of the transfer;
- receiving transaction data from ~~a~~the merchant indicating an attempted purchase transaction, the transaction data including a transaction amount and data identifying the destination account;
- processing the attempted purchase transaction with a credit card interchange rate; and
- transmitting data to the merchant indicating one of authorization of the attempted purchase transaction and denial of the attempted transaction.

Neither Lewis, nor Kravitz, alone or in combination, teach or suggest the recited features of amended claim 1. Specifically, Lewis fails to teach or suggest at least "a source account owned by the account holder to a destination account owned by the account holder." It follows, then, that Lewis also fails to teach or suggest "automatically requesting an automated clearing house

transfer from a source account owned by the account holder to a destination account owned by the account holder via an automated clearing house network.” Kravitz fails to cure these deficiencies. The electronic device taught by Kravitz does not “automatically request[] an automated clearing house transfer from a source account owned by the account holder to a destination account owned by the account holder via an automated clearing house network.” Applicants therefore respectfully submit that claim 1 is allowable over the cited combination of Lewis and Kravitz for at least these reasons.

Claims 2-15 depend variously from independent claim 1 and are allowable for at least the reason that they depend from an allowable claim.

The Office Action on pages 13-15 rejects claims 16-19 under 35 U.S.C. § as allegedly being unpatentable over Lewis in view of Kravitz and in further view of U.S. Patent Application Publication No. 2001/0054003 to Chien et al (“Chien”). Claims 16-19 depend variously from independent claim 1 and are allowable for at least the reason that they depend from an allowable claim. Further, Chien fails to cure the deficiencies of Lweis and Kravitz.

The Office Action on page 15 rejects claims 20-33 under 35 U.S.C § 103(a) as allegedly being unpatentable over Lewis in view of Kravitz. Applicants respectfully traverse this rejection. Claim 20 has been amended to recite similar features as claim 1. Claim 20 is therefore allowable over the cited combination of Lewis and Kravitz for at least similar reasons as discussed above with respect to claim 1.

Claims 20-33 depend variously from independent claim 20 and are allowable for at least the reason that they depend from an allowable claim.

The Office Action on page 15 rejects claims 34-37 under 35 U.S.C. § as allegedly being unpatentable over Lewis in view of Kravitz and in further view of Chien. Claims 34-37 depend variously from independent claim 1 and are allowable for at least the reason that they depend from an allowable claim. Further, Chien fails to cure the deficiencies of Lweis and Kravitz.

The Office Action on pages 15-19 rejects claims 38-42 under 35 U.S.C § 103(a) as allegedly being unpatentable over Lewis in view of Kravitz. Applicants respectfully traverse this rejection. Claim 38 has been amended to recite similar features as claim 1. Claim 38 is therefore allowable over the cited combination of Lewis and Kravitz for at least similar reasons as discussed above with respect to claim 1.

Claim 39 depends from independent claim 38 and are allowable for at least the reason that they depend from an allowable claim.

Claims 40-42 have been amended to recite similar features as claim 1. Claims 40-42 are therefore allowable over the cited combination of Lewis and Kravitz for at least similar reasons as discussed above with respect to claim 1.

**CONCLUSION**

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

In the event any variance exists between the amount authorized to be charge to the Deposit Account and the Patent Office charges, please charge or credit any difference to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

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By: \_\_\_\_\_



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